## 

| Į.                                   |  |   |  |
|--------------------------------------|--|---|--|
| 1<br>2<br>3<br>4<br>5<br>6<br>7<br>8 | BARBARA ENLOE HADSELL., ESQ. [S.B. #08602 bhadsell@hadsellstormer.com DAN STORMER, ESQ. [S.B. #101967] dstormer@hadsellstomer.com LAUREN TEUKOLSKY, ESQ. [S.B. #211381] lauren@hadsellstormer.com LAW OFFICE OF HADSELL & STORMER, INC. 128 North Fair Oaks Avenue, Suite 204 Pasadena, California 91103-3664 Telephone: (626) 585-9600 Facsimile: (626) 577-7079  [Counsel For Plaintiffs Continued On Next Page] Attorneys for All Plaintiffs  |   |  |
|                                      | UNITED STATES DISTRICT COURT   |   |  |
| 10                                   | NORTHERN DISTRICT OF CALIFORNIA  |   |  |
| 11                                   |  |   |  |
| 12                                   |  | _   |  |
| 13                                   | LARRY BOWOTO, et. al.,   | Case No: C 99-02506 SI  |  |
| 14                                   | Plaintiffs,<br>v.  | [Assigned to the Honorable Susan Illston, Courtroom 10, 19th floor] |  |
| 15                                   | CHEVRON CORPORATION, et al.  | PETITION AND [PROPOSED] ORDER                                       |  |
| 16                                   | Defendants.  | TO APPOINT GÜARDIAN AD LITEM FOR BAYO AND DEJI OYINBO               |  |
| 17                                   | THE STATE OF THE S |   |  |
| 18                                   |  |   |  |
| 19                                   |  | )   |  |
| 20                                   |  | )   |  |
| 21                                   |  | )<br>)  |  |
| 22                                   |  | )   |  |
| 23                                   |  |   |  |
| 24                                   |  |   |  |
| 25                                   |  |   |  |
| 26                                   |  |   |  |
| 27                                   |  |   |  |
| 28                                   |  |   |  |
|                                      |  |   |  |

GAL PET'N RE: BAYO AND DEJI OYINBO

| 1   | Counsel for Plaintiffs  | JUDITH BROWN CHOMSKY, ESQ.                                     |
|-----|---|--|
| 2   | (continued from first page)   | jchomsky@igc.org<br>LAW OFFICES OF JUDITH BROWN                |
| 3   | THERESA TRABER, ESQ. [S.B.#116305]                                      | CHOMSKY  |
|     | tmt@tvlegal.com BERT VOORHEES, ESQ. [S.B. #137623]                      | Post Office Box 29726<br>Elkins Park, PA 19027                 |
| 4   | bv@tvlegal.com  | Telephone: (215) 782-8367                                      |
| 5   | LAURA FAER, ESQ. [S.B. # 233846] lf@tvlegal.com                         | Facsimile: (215) 782-8368                                      |
| 6   | TRABER & VOORHEES   | JENNIFER M. GREEN, ESQ.  |
|     | 128 North Fair Oaks Avenue, Suite 204<br>Pasadena, California 91103     | jgreen@ccr-ny.org<br>CENTER FOR CONSTITUTIONAL RIGHTS          |
| 7   | Telephone: (626) 585-9611   | 666 Broadway, 7th Floor  |
| 8   | Facsimile: (626) 577-7079   | New York, NY 10012   |
| 9   | CINDY A. COHN, ESQ. [S.B.#145997]                                       | Telephone: (212) 614-6431<br>Facsimile: (212) 614-6499         |
| 7   | cindy@eff.org   | raesimile. (212) 014-0499                                      |
| 10  | ELECTRONIC FRONTIER FOUNDATION 454 Shotwell St.                         | PAUL HOFFMAN, ESQ. [S.B.# 71244]                               |
| 11  | San Francisco, California 94110   | hoffpaul@ix.netcom.com   |
|     | Telephone: (415) 436-9333, Ext. 108<br>Facsimile: (415) 436-9993        | SCHONBRUN, DESIMONE, SEPLOW,                                   |
| 12  | 1 desimine. (413) 430-3333  | HARRIS & HOFFMAN LLP<br>723 Ocean Front Walk                   |
| 13  | RICHARD HERZ, ESQ.  | Venice, California 90210                                       |
| 1.4 | rick@earthrights.org MARCO SIMONS, ESQ. [S.B. #237314]                  | Telephone: (310) 396-0731                                      |
| 14  | marco@earthrights.org   | Facsimile: (310) 399-7040                                      |
| 15  | EARTHRIGHTS INTERNATIONAL<br>1612 K Street N.W., Suite 401              | PODEDT D NEWWALN EGO   |
| 16  | Washington, DC 20006  | ROBERT D. NEWMAN, ESQ. [S.B. #086534]                          |
|     | Telephone: (202) 466-5188<br>Facsimile: (202) 466-5189                  | rnewman@wclp.org   |
| 17  | 1 desimile. (202) 400-3169  | LAW OFFICE OF ROBERT D. NEWMAN 3701 Wilshire Blvd., Suite 208  |
| 18  | MICHAEL S. SORGEN, ESQ. [S.B. #43107]                                   | Los Angeles, California 90010                                  |
| 19  | msorgen@sorgen.net<br>LAW OFFICES OF MICHAEL S. SORGEN                  | Telephone: (213) 487-4727                                      |
|     | 240 Stockton Street, 9th Floor  | Facsimile: (213) 487-0242                                      |
| 20  | San Francisco, California 94108 Tel: (415) 956-1360 Fax: (415) 956-6342 | ANTHONY DICAPRIO, ESQ.   |
| 21  |   | ad@humanrightslawyers.com                                      |
|     | JOSE LUIS FUENTES, ESQ. [S.B.#192236] jlf499@sbcglobal.net              | RATNER, DICAPRIO & CHOMSKY, LLP 110 E. 59 <sup>th</sup> Street |
| 22  | SIEGEL & YEE  | New York, NY 10022   |
| 23  | 499 14th Street, Suite 220  | Telephone: (212) 604 9466<br>Facsimile: (212) 604 9467         |
| 24  | Oakland, CA 94612<br>Tel: (510) 839-1200Fax: (510) 444-6698             | 1 acsimite. (212) 004 9407                                     |
|     |   | RICHARD R. WIEBE [S.B. #121156] wiebe@pacbell.net              |
| 25  |   | LAW OFFICE OF RICHARD R WIEBE                                  |
| 26  |   | 425 California Street, #2025                                   |
| 27  |   | San Francisco, CA 94104<br>Telephone: (415) 433-3200           |
| 27  |   | Facsimile: (415) 433-6382                                      |
| 28  |   |  |

| - 1 |   |  |  |
|-----|---|--|--|
| 1   | PETITION TO APPOINT GUARDIAN AD LITEM   |  |  |
| 2   | Counsel brings this petition on behalf of petitioners Bayo Oyinbo and Deji Oyinbo. Each                   |  |  |
| 3   | is a minor of less than eighteen years of age.  |  |  |
| 4   | Each petitioner is a plaintiff in the action Bowoto v. Chevron Corp., as a successor-in-                  |  |  |
| 5   | interest of their deceased father, Bola Oyinbo.   |  |  |
| 6   | The guardian of Bayo Oyinbo and Deji Oyinbo is their mother, Ola Oyinbo, who is also a                    |  |  |
| 7   | plaintiff in this case and who seeks to be appointed guardian ad litem for her children. Petitioner       |  |  |
| 8   | have had no previous petition for appointment of a guardian ad litem in this matter.                      |  |  |
| 9   | Ola Oyinbo is a competent and responsible person, and fully competent to act as guardian                  |  |  |
| 10  | ad litem for petitioners. She is willing to act as petitioners' guardian ad litem, as appears by her      |  |  |
| 1   | consent attached hereto.  |  |  |
| 12  | WHEREFORE, petitioners move the court for an order appointing Ola Oyinbo as guardia                       |  |  |
| 13  | ad litem for petitioners for the purpose of litigating the instant action, <i>Bowoto v. Chevron Corp.</i> |  |  |
| 14  | Dated: February 1, 2008 Respectfully submitted,   |  |  |
| 15  | ELECTRONIC FRONTIER FOUNDATION  |  |  |
| 16  | By: (shy (shy )) Cindy Cohn Attaway for attionary Pays Ovinha and Daii Ovinha and                         |  |  |
| 17  | Attorney for petitioners Bayo Oyinbo and Deji Oyinbo and for their guardian Ola Oyinbo                    |  |  |
| 18  | JOINDER OF NATURAL GUARDIAN   |  |  |
| 19  | I, Ola Oyinbo, the mother and natural guardian of petitioners Bayo Oyinbo and Deji Oyinbo                 |  |  |
| 20  | consent to and join in the petition for the appointment of myself as their guardian ad litem in th        |  |  |
| 21  | instant action.   |  |  |
| 22  | Dated: Jan 16, 2008   |  |  |
| 23  | CONSENT OF NOMINEE  |  |  |
| 24  | I, Ola Oyinbo, the nominee of petitioners Bayo Oyinbo and Deji Oyinbo consent to act a                    |  |  |
| 25  | guardian ad litem for these minor petitioners in the instant action.                                      |  |  |
| 26  | Dated: 100 b, 2008  |  |  |
| 27  | Ola Oyinbo  |  |  |
| 28  |   |  |  |
|     | PET. AND [PROPOSED] ORDER TO APPOINT GUARDIAN AD LITEM  Case No. C 99-02506 SI                            |  |  |

1

| 1  | TRANSLATOR'S STATEMENT  |  |  |
|----|---|--|--|
| 2  | I am a native Ilaje speaker, fluent in the verbal and written English. Based on my              |  |  |
| 3  | knowledge and skill in conversing in Ilaje and my knowledge and skill in conversing and readin  |  |  |
| 4  | in English, I am competent as an interpreter from English to Ilaje. I accurately translated the |  |  |
| 5  | foregoing document into Ilaje for the Ilaje-speaking signatories to this document.              |  |  |
| 6  | I declare under penalty of perjury under the laws of the State of California and of the         |  |  |
| 7  | United States that the foregoing is true and correct.   |  |  |
| 8  | Dated: Jan. 16, 2008 Signature: Am.   |  |  |
| 9  | Name: OMOJUNIA MORRIS   |  |  |
| 10 |   |  |  |
| 11 | [PROPOSED] ORDER TO APPOINT GUARDIAN AD LITEM   |  |  |
| 12 | The petition of Bayo Oyinbo and Deji Oyinbo, in which their guardian Ola Oyinbo joins,          |  |  |
| 13 | appointing Ola Oyinbo as their guardian ad litem, is GRANTED.                                   |  |  |
| 14 | IT IS SO ORDERED.   |  |  |
| 15 | DATED: The Honorable Susan Illston  |  |  |
| 16 | United States District Court Judge  |  |  |
| 17 |   |  |  |
| 18 |   |  |  |
| 19 |   |  |  |
| 20 |   |  |  |
| 21 |   |  |  |
| 22 |   |  |  |
| 23 |   |  |  |
| 24 |   |  |  |
| 25 |   |  |  |
| 26 |   |  |  |
| 27 |   |  |  |
| 28 |   |  |  |